MOTION FOR JUDICIAL NOTICE AND MOTION TO DISMISS FOR LACK OF JURISDICTION

IN THE BOONEVILLE DISTRICT COURT
LOGAN COUNTY, ARKANSAS

STATE OF ARKANSAS)
)
v.) CASE NOS: BDC-TR-2025-00321, 00322, 00323
)
JONATHAN DANIEL CLEMENTS)

MOTION FOR JUDICIAL NOTICE AND MOTION TO DISMISS FOR LACK OF JURISDICTION

Comes now the Defendant, Jonathan Daniel Clements, Living Trustee of ECC-TRUST-JDC-005, appearing specially and not generally, and respectfully moves this Court to take Judicial Notice of the documents previously submitted and to Dismiss this action for lack of subject matter and personal jurisdiction as it pertains to all traffic-related citations listed above.

1. Judicial Notice of Trust Record:
Pursuant to Arkansas Rule of Evidence 201 and Federal Rule of Evidence 201, this Court is obligated to take judicial notice of facts that are not subject to reasonable dispute, including public records, notarized ecclesiastical trusts, and documents previously filed and entered into the public record. ECC-TRUST-JDC-005 is a private ecclesiastical trust, publicly acknowledged and not rebutted, and operates outside the jurisdiction of state civil authority. See also: *Sherr v. Ankeny*, 14 F.3d 277 (6th Cir. 1994), affirming that religious institutions may operate under ecclesiastical governance when not in violation of public order.

2. Jurisdictional Conflict and Ecclesiastical Immunity:
The Booneville District Court lacks subject matter jurisdiction over

ecclesiastical matters, private trusts, and foreign nationals acting in private trust capacity. See *Watson v. Jones*, 80 U.S. (13 Wall.) 679 (1871) – establishing that courts cannot adjudicate internal ecclesiastical matters. Further, under *Bond v. United States*, 564 U.S. 211 (2011), individuals have standing to challenge governmental overreach under constitutional principles when private rights are infringed.

3. No Standing or Demonstrable Injury:
The Plaintiff has failed to produce verified evidence of commercial activity or injury giving rise to state regulatory jurisdiction. Defendant operates within ecclesiastical trust capacity, and the conveyance and use of property held in trust does not constitute public commerce. See also: *Hale v. Henkel*, 201 U.S. 43 (1906), affirming that the individual is sovereign and not subject to unlimited legislative control in their private capacity.

4. Pattern of Harassment and Due Process Violations:
The issuance of three separate citations on the same day for matters of trust property is excessive and punitive in nature, and violates the equal protection clause of the Fourteenth Amendment to the United States Constitution. Moreover, failure to recognize and respond to valid legal filings—especially objections to venue and jurisdiction—constitutes a denial of procedural due process.

WHEREFORE, Defendant respectfully demands the following relief:

- That this Court take Judicial Notice of ECC-TRUST-JDC-005 and its ecclesiastical standing;
- That all citations issued under the above-listed cases be dismissed with prejudice;
- That no further actions be taken under color of law against the property of the trust;
- That a certified copy of the order of dismissal be entered into the record and returned to the Defendant.

Respectfully submitted,

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Jonathan Daniel Clements
Living Trustee of ECC-TRUST-JDC-005
Date: October 21, 2025